United Nations S/AC.50/2007/97

Security Council

Distr.: General
7 June 2007

Original: English

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 24 May 2007 from the Permanent Mission of Finland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Finland presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006) and, referring to paragraph 8 of Security Council resolution 1747 (2007), has the honour to communicate the following information concerning the implementation in Finland of the United Nations sanctions against Iran (see annex).

07-37787 (E) 050707

Annex to the note verbale dated 24 May 2007 from the Permanent Mission of Finland to the United Nations addressed to the Chairman of the Committee

In its letter dated 20 February 2007, Finland informed the Security Council of the measures taken to implement effectively Security Council resolution 1373 (2006). Further information is provided following concerning the steps taken with a view to implementing Security Council resolutions 1737 (2006) and 1747 (2007).

On 27 February 2007, the Council of the European Union adopted Common Position 2007/140/CFSP concerning restrictive measures against Iran. Council Regulation No. 423/2007 implementing the Common Position entered into force on 20 April 2007. The regulation is binding in its entirety and directly applicable in all EU member States.

Following Security Council resolution 1747 (2007), the Council of the European Union adopted, on 23 April 2007, Common Position 2007/246/CFSP amending Common Position 2007/140/CFSP concerning restrictive measures against Iran. Common Position 2007/246/CFSP imposes a full arms embargo on Iran covering all arms and related materiel, prohibits the procurement of arms and related material from Iran, updates the lists of persons and entities whose travel is being restricted and whose assets are being frozen, and stipulates that EU member States shall not enter into new commitments for grants, financial assistance and concessional loans to the Government of Iran, including through their participation in international financial institutions, except for humanitarian and development purposes. Commission Regulation No. 441/2007, which entered into force on 21 April 2007, amended Council Regulation No. 423/2007 by including the persons and entities whose assets are to be frozen according to resolution 1747 (2007) in the relevant annex of Council Regulation No. 423/2007.

Preparations are also under way to adopt without delay a further Council Regulation prohibiting the provision of technical and financial assistance, financing and investment related to arms and related materiel. Further information is provided for in the letter of the Presidency of the Council of the European Union, dated 25 May 2007.

At the national level, sanctions are imposed by virtue of the Act on the Enforcement of Certain Obligations of Finland as a Member of the United Nations and of the European Union ("Sanctions Act", No. 659/1967). The Sanctions Act provides a basis for prompt implementation of the provisions of the EU Council sanctions regulations, which are adopted on the basis of article 60, 301 or 308 of the Treaty establishing the European Community.

The Sanctions Act, together with the Penal Code (No. 39/1889), provides for the penalties and forfeitures to be imposed for violations of Council sanctions regulations. According to chapter 46, section 1 (11) of the Penal Code, a person who violates or attempts to violate a regulatory provision in a sanctions regulation, adopted on the basis of article 60, 301 or 308 of the Treaty establishing the European Community, shall be sentenced for a regulation offence to a fine or to imprisonment for at most four years.

The arms embargoes imposed by the Security Council and the EU are implemented at the national level by virtue of the Act on the Export and Transit of

Defence Materiel (Act No. 242/1990, as amended by Acts 197/1995, 893/2001, 385/2002, and 900/2002). According to the Act, the export, transit or brokerage of defence materiel is subject to specific authorization (expert and brokerage licence). A licence to export or broker shall not be granted if it jeopardizes Finland's security or is inconsistent with Finland's foreign policy. The General Guidelines for Export, Transit and Brokerage of Defence Materiel, adopted by the Government (No. 1000/2002, as amended by Government Decision 101/2003) provide that economic sanctions and arms embargoes imposed by the Security Council or by the European Union shall be complied with when granting an export licence or licence for the trans-shipment of defence materiel.

According to section 7 of the Act on the Export and Transit of Defence Materiel, a person who commits an export offence shall be fined or imprisoned for a maximum period of four years.